

# CHAPTER 33: NOW THAT YOU'VE TAKEN THE TOUR...

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# DOE Chapter 33 Webpage

<http://www.maine.gov/doe/school-safety/restraints/index.html>

## Training

Under the rule, a certain number of staff in schools and other covered programs must receive training regarding the use of restraint and seclusion. The training must be obtained from training programs approved by the Department of Education.

[Department seeking applications for training programs](#)

[Training program application and requirements](#)

[List of approved training programs in the use of restraints and seclusion.](#)

# List of approved training programs in the use of restraints and seclusion.

**CPI's Nonviolent Crisis Intervention training program.** [Visit the CPI website.](#)  
[References and instructor information.](#) (PDF, 108KB)

**Mandt System.** [Visit the Mandt System website.](#)  
[Faculty biographies and educational references.](#) (PDF, 388KB)

**NAPPI International.** [Visit the NAPPI International website.](#)  
[References and instructor information.](#) (PDF, 36KB)

**PMT Associates.** [Visit the PMT Associates website.](#)  
[Instructor biographies and references.](#) (PDF, 47KB)

**QBS, Inc. - Safety-Care Behavioral Safety Training.**  
[Visit the QBS Safety-Care website.](#)

**RIGHT RESPONSE.** [Visit the RIGHT RESPONSE website.](#)  
Instructor information [Steven Seiller](#) (PDF, 627KB) [Venerando Azurin](#) (PDF, 626KB)

**Spring Harbor Academy.** [Visit the Spring Harbor Academy website.](#)  
[Instructor biographies](#) (PDF, 57KB)

**TCI - Therapeutic Crisis Intervention System.** [Visit the TCI website.](#)  
[Instructor information.](#) (PDF, 370KB) [References.](#) (PDF, 62KB)

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## Resources and Materials

[Guided Tour of the New Chapter 33 Regulations](#) (Flash\*, approximately 90 minutes) - Webinar recorded May 31, 2012, explaining revisions to Chapter 33.

[Maine DOE Restraint & Seclusion Incident Report Form](#) (MS Word, 31KB) - Covered entities are not required to use this form to record incidents of restraint or seclusion, but proper completion of this form will ensure that the incident information required in Rule Chapter 33 is recorded.

[Maine DOE Rule Chapter 33 Questions and Answers](#)



# SELECTED QUESTIONS

**PR-9. Is it physical restraint if a coach directs a student to run laps as a consequence for being late to practice?**

No. Physical restraint requires physical contact with the student. It is never physical restraint when a student complies with a verbal request or directive.



**PR-7. If a student is behaving defiantly, without being escalated, and climbs up on a file cabinet while ignoring verbal requests to come down, may that student be restrained?**

First and foremost, if there is any reasonable likelihood that the student's safety is at risk, staff must take appropriate action to protect the student's safety. If, as seems likely, the student's presence on the file cabinet presents a safety risk, then restraint may be used to bring the student down.



## **PR-4. May a student who is causing significant property damage be restrained?**

The fact of property damage alone is not sufficient justification for use of physical restraint.

However, such behavior will very often carry with it imminent risk of injury to the student or others, as when the student is smashing or throwing objects.





### **S-3. Is a student who is sent to the principal's office in seclusion?**

Providing that there is at least one other person present in the office, this would not constitute seclusion. As stated in Section 2.19, seclusion requires that the student be alone in a room or clearly defined area and be prevented from leaving.





**S-5. If a student is asked to go to a room to take a break, and the student goes but slams the door behind, does that become seclusion?**

No, because the student has still complied with a request to go to the room, so it is a timeout. The student doesn't have to be happy about it.



THE LINE IS NOW OPEN FOR  
QUESTIONS....